

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CONNECTU LLC

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO  
SAVERIN, DUSTIN MOSKOVITZ, ANDREW  
MCCOLLUM, CHRISTOPHER HUGHES, and  
THEFACEBOOK, INC.,

Defendants.

MARK ZUCKERBERG, and  
THEFACEBOOK, INC.,  
Counterclaimants,

v.

CONNECTU LLC,  
Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,  
Additional Defendants on Counterclaims.

Civil Action No. 1:04-CV-11923 (DPW)

District Judge Douglas P. Woodlock

Magistrate Judge Robert B. Collings

**AFFIDAVIT OF JOSHUA H. WALKER IN SUPPORT OF THE FACEBOOK  
DEFENDANTS' (i) OPPOSITION TO CONNECTU LLC'S MOTION TO COMPEL THE  
PRODUCTION OF MIRROR IMAGES OF DEFENDANTS' HARD DRIVES AND  
OTHER ELECTRONIC MEMORY DEVICES AND DOCUMENTS CREATED AFTER  
MAY 21, 2004, AND (ii) CROSS-MOTION FOR PROTECTIVE ORDER**

I, JOSHUA H. WALKER, declare as follows:

1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel for Defendants Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, Christopher Hughes, and TheFacebook, Inc. (collectively, the “Facebook Defendants”). I make this Affidavit in support of the Facebook Defendants’ (i) Opposition to Plaintiff’s Motion to Compel the Production of Mirror Images of Defendants’ Hard Drives and Other Electronic Memory Devices and Documents created after May 21, 2004, and (ii) Cross-Motion for Protective Order. I am an active member in good standing of the Bar of the State of California and am admitted to appear *pro hac vice* before this court. I have personal knowledge of the facts stated therein and if called as a witness, could and would competently testify thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of copy of pages 1, 6, 7, 174-182, and 403 of the August 9, 2005 deposition of ConnectU LLC under Federal Rule of Procedure 30(b)(6).

3. Attached hereto as **Exhibit B** is a true and correct copy of Defendants' Amended Notice of Deposition of Plaintiff and Counterdefendant ConnectU. Pursuant to Federal Rule of Civil Procedure 30(b)(6).

4. Attached hereto as **Exhibit C** is a true and correct copy of Objections to Amended Notice of Depositions of Plaintiff and Counterclaim Defendant ConnecU LLC Federal Rule of Civil Procedure 30(b)(6).

5. Attached hereto as **Exhibit D** is a true and correct copy of a letter from Joshua H. Walker to John F. Hornick, dated August 3, 2005.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This declaration is executed on this 18th day of August, 2005, at Menlo Park, California.

/s/ Joshua Walker

Joshua H. Walker

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